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KELLOGG, HUBER, HANSEN, TODD & EVANS, P.L.L.C.

1301 K STREET, N.W.
SUITE 1000 WEST
WASHINGTON, D.C. 20005-3317

MICHAEL K. KELLOGG
PETER W. HUBER
MARK C. HANSEN
K. CHRIS TODD
MARK L. EVANS
AUSTIN C. SCHLICK

(202) 326-7900

FACSIMILE
(202) 326-7999

March 19, 1997

Ex Parte Filing

Magalie Salas, Secretary
Federal Communications Commission
1919 M Street, N.W., Room 222
Washington, D.C. 20554

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DEC 18 1997

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

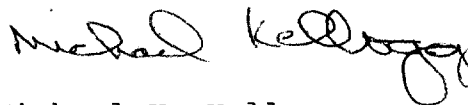
In re Matter of the Pay Telephone
Reclassification and Compensation
Provisions of the Telecommunications
Act of 1996, CC Docket No. 96-128

Dear Ms. Salas:

Enclosed for filing in this docket are the original and one copy of a letter to Robert Spangler on behalf of the RBOC/GTE/SNET Payphone Coalition. I would ask that you include the letter in the record of this proceeding in compliance with 47 C.F.R. § 1.1206(a)(2).

If you have any questions concerning this matter, please contact me at (202) 326-7902. Thank you for your consideration.

Yours sincerely,



Michael K. Kellogg

cc: Robert Spangler

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December 18, 1997

By Hand

Robert Spangler, Esquire
Chief, Enforcement Division
Common Carrier Bureau
Federal Communications Commission
2025 M Street, N.W.
Washington, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In re Matter of the Pay Telephone
Reclassification and Compensation
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Act of 1996, **CC Docket No. 96-128**

Dear Bob:

I am writing to reiterate the commitment of Ameritech, Bell Atlantic, BellSouth, and SBC to provide payphone-specific coding digits using FLEX ANI on all payphones as quickly as is technically feasible. These companies will not wait until March 9, 1998 -- the expiration date of the October 7 waiver granted by the Common Carrier Bureau -- to turn on FLEX ANI on a flash cut basis. Rather, as the Waiver Order itself contemplates (at ¶ 8), they will do so on a rolling basis as end-offices are properly equipped to provide FLEX ANI and interexchange carriers are prepared (and ask) to receive it.

As I explained in my letter to John Muleta of September 30, 1997 (a copy of which is attached) 60% of payphones (those attached to so-called "smart lines") already transmit unique coding digits ("27"). Ameritech, Bell Atlantic, BellSouth and SBC are all working diligently to ensure that payphone-specific digits are available, through FLEX ANI, on the remainder of the payphones in their service areas. Hence, the 60% figure should climb steadily throughout the waiver period. We anticipate being able to meet or beat the projected deployment schedule set forth in my letter.

KELLOGG, HUBER, HANSEN, TODD & EVANS, P.L.L.C.

Robert Spangler, Esquire

December 18, 1997

Page 2

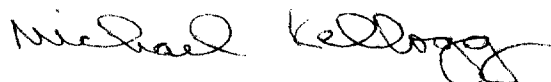
I must stress, however, that the implementation process is complex. The companies must load the software in any switches that do not have it, and perform the extensive provisioning, translations, and trunk conditioning work that must be completed for FLEX ANI to be implemented. They must also test FLEX ANI with the interexchange carriers that wish to receive it in order to ensure that it functions smoothly and that calls are not dropped.

This process is proceeding apace, but I have been disturbed to learn that, in at least one instance, MCI (who has protested loudly about the lack of payphone specific coding digits) has declined to engage in tests and has not requested FLEX ANI even where it is available. We cannot force interexchange carriers to accept coding digits; not without leading to dropped calls. As long as it is available to interexchange carriers on request, therefore, we believe we are satisfying the Commission's requirements.

One other issue warrants mention. Each of the companies will be filing tariffs to recover the costs of FLEX ANI from PSPs on a per-line basis. These tariffs will probably be filed in the first quarter of 1998. We are not waiting, however, to file these tariffs before making FLEX ANI available to the IXCs. In order to comply with the various payphone orders, we are making FLEX ANI for payphone digits available to the IXCS at no cost as soon as it is technically feasible to do so and, where needed, as soon as we have made minor modifications to existing tariffs. We are operating on the assumption, however, that the Commission will permit full cost recovery in the new tariffs for PSPs. Please let me know if your understanding is any different.

I hope this information is helpful. Please call me if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael Kellogg", with a stylized flourish at the end.

Michael K. Kellogg

cc. Rose M. Crellin
John B. Muleta